

FEB 22 2005

**BANNER & WITCOFF, LTD.**
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TO: Examiner D. Nguyen, Group Art Unit 2643	FROM: Thomas L. Evans
COMPANY: U.S. Patent and Trademark Office	DATE: February 22, 2005
FAX NUMBER: 703-872-9306	TOTAL NO. OF PAGES (INCLUDING COVER SHEET): 29
YOUR REFERENCE NO.: U.S. Patent App. No. 09/971,080	OUR REFERENCE (C/M) NO.: 006004.00004
RE: Information Disclosure Statement; PTO-1449 Form; Statement Under 37 C.F.R. §1.97(e)(1); Statement Under 37 C.F.R. §1.704(d); Written Opinion and associated reference	
<i>If you do not receive all page(s) or have any problems receiving this transmission, please call:</i>	
NAME: Lesa Wolman	PHONE: (503) 279-6330
COMMENTS:	

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Certificate Of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at telephone number (703) 872-9306 on February 22, 2005.

Respectfully submitted,

By: Thomas L. Evans
Thomas L. Evans, PTO Reg. No. 35,805
BANNER AND WITCOFF, LTD.

Atty. Docket No.
006004.00004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Hitesh Shah

U.S. Pat. App. No.: 09/971,080

Filed: October 3, 2001

Examiner: D. Nguyen

Group Art Unit: 2643

For: SHARING OF WIRELESS TELEPHONE SERVICES FOR A PERSONAL
WIRELESS TELEPHONE AND A VEHICULAR WIRELESS TELEPHONE

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to his duty of disclosure under 37 C.F.R. §1.56, Applicant brings the document listed in the attached PTO-1449 form to the attention of the Examiner in the above-identified patent application.

A copy of the document listed in the PTO-1449 is attached hereto.

The listed document was cited in a Written Opinion for a corresponding International PCT application, dated January 21, 1995, a copy of which is also attached. The Written Opinion is in English. Therefore, Applicant respectfully urges that no further comment is necessary in accordance with 37 C.F.R. §1.98(a)(3).

U.S. Pat. App. No.: 09/971,080
Atty. Docket No.: 006004.00004

A first Official Action issued for this application on July 16, 2004. Accordingly, Applicants are concurrently submitting both a Statement Under 37 C.F.R. §1.97(e)(1) and a Statement under 37 C.F.R. §1.704(d). It is therefore respectfully urged that no fees are due for the submission and consideration of this Information Disclosure Statement. Further, Applicants submit that this Information Disclosure Statement is being timely presented in accordance with 37 C.F.R. §1.97(c).

While Applicant is presenting the document listed in the attached PTO-1449 form, Applicant does not waive any right to take appropriate action to establish patentability over the listed documents should this document be applied as a reference against any claim in this application.

Applicant respectfully asks that the document listed on the attached PTO-1449 form be considered by the Examiner and made officially of record, and that a listing of the same appear on the face of any patent which may issue from this application.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By: Thomas L. Evans
Thomas L. Evans, Reg. No. 35,805
1001 G Street, N.W., 11th Floor
Washington, D.C. 20001-4597
Telephone: (202) 508-9100
Facsimile: (202) 508-9299

February 22, 2005

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Hitesh Shah

U.S. Pat. App. No.: 09/971,080

Filed: October 3, 2001

Examiner: D. Nguyen

Group Art Unit: 2643

For: **SHARING OF WIRELESS TELEPHONE SERVICES FOR A PERSONAL
WIRELESS TELEPHONE AND A VEHICULAR WIRELESS TELEPHONE**

STATEMENT UNDER 37 C.F.R. §1.97(e)(1)

Commissioner for Patents
P.O. Box 1450,
Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 C.F.R. §1.97(e)(1), Applicant hereby states that each item of information contained in the attached Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the attached Information Disclosure Statement.

U.S. Pat. App. No.: 09/971,080
Atty. Docket No.: 006004.00004

Consideration and entry of this Statement are respectfully requested.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By: Thomas L. Evans
Thomas L. Evans, Reg. No. 35,805
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Washington, D.C. 20001-4597
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BANNER AND WITCOFF, LTD.

Atty. Docket No.
006004.00004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Hitesh Shah

U.S. Pat. App. No.: 09/971,080

Filed: October 3, 2001

Examiner: D. Nguyen

Group Art Unit: 2643

For: **SHARING OF WIRELESS TELEPHONE SERVICES FOR A PERSONAL
WIRELESS TELEPHONE AND A VEHICULAR WIRELESS TELEPHONE**

STATEMENT UNDER 37 C.F.R. §1.704(d)

Commissioner for Patents
P.O. Box 1450,
Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 C.F.R. 1.704(d), Applicant hereby states that each item of information contained in the attached Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of the attached Information Disclosure Statement.

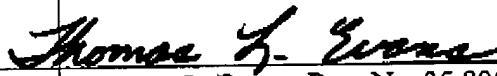
U.S. Pat. App. No.: 09/971,080
Atty. Docket No.: 006004.00004

Consideration and entry of this Statement are respectfully requested.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By:



Thomas L. Evans, Reg. No. 35,805
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February 22, 2005

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

1

Complete if Known

Application Number	09/971,080
Filing Date	October 3, 2001
First Named Inventor	Hitesh SHAH
Art Unit	2643
Examiner Name	D. Nguyen
Attorney Docket Number	006004.00004

U.S. PATENT DOCUMENTS

Examiner Initials *		Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	CH				
	CI				
	CJ				
	CK				
	CL				
	CM				
	CN				
	CO				

FOREIGN PATENT DOCUMENTS

Examiner Initials *		Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	CP	EP 1 014 339 A2	Jun 26, 2000	General Motors Corp		Y

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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